

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT
Attorney Docket No.: 019496-006700US
Client Ref. No.: G5-US1

On Dec. 22, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Brenda J. Dolly
Brenda J. Dolly

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yen Choo

Application No.: 09/646,353

Filed: November 27, 2000

For: NUCLEIC ACID BINDING
PROTEINS

Customer No.: 20350

Confirmation No. 8682

Examiner: Teresa D. Wessendorf

Technology Center/Art Unit: 1639

PETITION UNDER 37 CFR 1.48(a)

Mail Stop Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance mailed on September 22, 2004, Applicants submit the Issue Fee and following remarks and documentation, and respectfully request their consideration.

Remarks/Arguments begin on page 2 of this paper.

12/28/2004 HMEKONE1 00000006 201430 09646353

03 FC:1464 130.00 DA

REMARKS/ARGUMENTS

Applicants request deletion of Mark Isalan as a co-inventor, leaving Yen Choo as the sole inventor. Attached are the following:

(1) Statement of Mark Isalan saying the error in naming him as an inventor arose without deceptive intent;

(2) Declaration signed by Yen Choo;

(3) Consent of Assignee; and

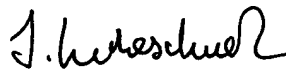
(4) ADS containing the revised inventorship.

A statement under 37 CFR 3.73 is already of record (December 16, 2002) in the case.

Please charge the Petition fee of \$130.00 to deposit account 20-1430. Please charge any additional fees or credit any overpayment to the same account.

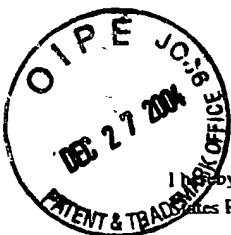
If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Joe Liebeschuetz
Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
Attachments
JOL:jol
60383460 v1



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On

Dec. 22, 2004

TOWNSEND and TOWNSEND and CREW LLP

By:

Brenda J. Dolly
Brenda J. Dolly

PATENT
Attorney Docket No.: 019496-006700US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yen Choo and Mark Isalan

Application No.: 09/646,353

Filed: November 27, 2000

For: NUCLEIC ACID BINDING PROTEINS

Customer No.: 20350

Confirmation No. 8682

Examiner: Teresa D. Wessendorf

Technology Center/Art Unit: 1639

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF DELETED INVENTOR UNDER 37 CFR 1.48(a)

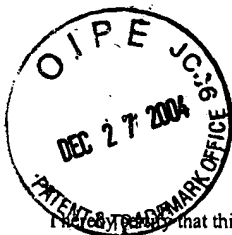
Sir:

I understand I am being deleted as an inventor from the above application leaving Yen Choo as the sole inventor. The error in naming me as an inventor occurred without any deceptive intent on my part.

Respectfully submitted,

Date

12/21/2004Mark Isalan
Mark Isalan



that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 019496-006700US

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On Dec. 22, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Brenda J. Dolly
Brenda J. Dolly

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yen Choo and Mark Isalan

Application No.: 09/646,353

Filed: November 27, 2000

For: NUCLEIC ACID BINDING PROTEINS

Customer No.: 20350

Confirmation No. 8682

Examiner: Teresa D. Wessendorf

Technology Center/Art Unit: 1639

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CONSENT OF ASSIGNEE UNDER 37 CFR 1.48(a)

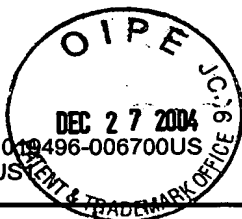
Sir:

I understand that Mark Isalan is being deleted as an inventor, leaving Yen Choo as the sole inventor. On behalf of the assignee, I consent to this change of inventorship.

12/17/04
Date

Respectfully submitted,

Edward O. Lanphier II
Edward O. Lanphier II
Director, Gendaq Limited



Attorney Docket No.: 009496-006700US
Client Ref. No.: G5-US

PTO/SB/01A (09-04)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of
Invention

NUCLEIC ACID BINDING PROTEINS

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 09/646,353, filed on November 27, 2000,
☒ as amended on December 3, 2003 (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Yen Choo

Date: 22 / 11 / 2004

Signature: Yen Choo

Citizen of: United Kingdom Greece

Inventor two: _____

Date: _____

Signature: _____

Citizen of: _____

Inventor three: _____

Date: _____

Signature: _____

Citizen of: _____

Inventor four: _____

Date: _____

Signature: _____

Citizen of: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.